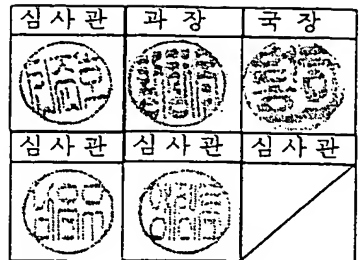


# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY



## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

LEE, Keon-Joo

Mihwa Bldg. 110-2, Myongryun-dong, 4-ga, Chongro-gu  
Seoul 110-524 Republic of Korea

Date of mailing  
(day/month/year) **21 MARCH 2005 (21.03.2005)**

Applicant's or agent's file reference  
**P12742-PCT**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/KR2004/002958**

International filing date (day/month/year)

**15 NOVEMBER 2004 (15.11.2004)**

Priority date(day/month/year)

**14 NOVEMBER 2003 (14.11.2003)**

International Patent Classification (IPC) or both national classification and IPC

**IPC7 H04B 7/26**

Applicant

**SAMSUNG ELECTRONICS CO., LTD. et al**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



Korean Intellectual Property Office  
920 Dunsan-dong, Seo-gu, Daejeon 302-701,  
Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

SHIN, Jun Ho

Telephone No. 82-42-481-8129



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002958

**Box No. I Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing  
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format  
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002958

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims	1 - 9	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1 - 9	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1 - 9	YES
	Claims	NONE	NO

**2. Citations and explanations :**

**1. NOVELTY AND INVENTIVE STEP**

Reference is made to the following documents:

D1 : US 2003/0036403 A1 ( DA-SHAN SHIU ET AL. ) 20 February 2003

D2 : EP 1089455 A2 ( LUCENT TECHNOLOGIES INC. ) 4 April 2001

D1 discloses a method of controlling the transmission power for data transmission that uses a number of formats by outer loop control.

D2 discloses a method and apparatus for terminating a burst transmission in a wireless system. If the wireless system determines that a burst transmission should be terminated, the transmission is terminated by lowering a target signal-to-noise ratio (SIR) by a predetermined amount.

However, the prior arts including D1 and D2, do not indicate the subject matter of claims 1-9 which comprises the steps of : transmitting E-TFCl(Enhanced TFCl) to a Node B by a UE before transmitting a E-DCH corresponding to the E-TFCl; adjusting an up-link pilot power boosting amplitude by the UE according to the E-TFCl; and performing a uplink inner loop power control by the Node B according to a measured SIR, a target preset by the inner loop power control and a pilot boost amplitude result from the E-TFCl. Even though the prior arts may be combined, it is not obvious to a skilled person in a CDMA communication to derive the subject matter of claims 1-9 from the prior arts.

Therefore, the subject matter of claims 1-9 is considered to meet the requirement of PCT Article 33(2) and 33(3) in respect of novelty and an inventive step.

**2. INDUSTRIAL APPLICABILITY**

The subject matter of claims 1-9 is considered to meet PCT Article 33(4) in respect of an industrial applicability.